

as in the said Replication is alledged, But the said Roger saith that As to five Thousand two Hund^d and Seventy Nine Pounds of Tobacco Part of the said Sixteen Thousand Six Hundred and Eighty three Pounds of Tobacco he the said Francis Afterwards and before the Impetration of the Writt aforesaid by the said Attorney Gen^l for the Said Lord Propry against the said Roger Mathews Viz^t: the Ninth Day of June [844] In the Year of Our Lord One thousand Seven hundred and Twenty Six in Baltemore Co^{ty} aforesaid Did Pay and Satisfie Unto the Said Thomas Bordley in his Lifetime the said Quantity of five thousand two Hundred and Seventy Nine Pounds of Tobacco And as to the quantity of Eleven thousand four hundred and four pounds of Tobacco the remaining part of the Said Sixteen thousand Six hundred and Eighty three Pounds of Tobacco he the said Francis Holland Did before the impetration and Exhibition of the Writt afs^d by the said Attorney Gen^l ag^t the said Roger Mathews as afores^d Viz^t: on the first Day of July in the Year of Our Lord One thousand Seven Hund^d and twenty Six in Baltemore County afs^d offer unto the Said Tho^s Bordley in his Lifetime the said Eleven thousand four Hundred and four Pounds of Tobacco the remaining Part of the said Sixteen thousand Six Hundred and Eighty three Pounds of Tobacco According to the form and Effect of the Condition afores^d Without that, that he the said Francis Holland Did assume Upon himself And to the said Tho^s Bordley Did promise in Manner and form as the said attorney Gen^l by his Replication afs^d hath Alledged to pay to the said Thomas Bordley the said Sixteen thousand Six Hundred and Eighty three pounds of Tobacco And this he the said Roger is also ready to verifie Wherefore he prays Judgment as before And that the Said Attorney Gen^l on behalf of the Lord Propry the Action afs^d Against him the Said Roger from having may be Precluded etc:

And the Same attorney Gen^l Saith that the Afs^d Plea by the Afs^d Roger Above by rejoynder Pleaded and the Matter in the same Contained is not Sufficient in Law the Same Attorney Gen^l from the Action Afs^d to Preclude, And that he to that Plea in Manner and form afs^d Pleaded hath no need nor by the Law of the Land is held to Answer And this he is ready to Verifie Wherefore as before Prays Judgment for the Debt afores^d together with the Damages Occasioned by the Detention of that Debt to be to him the said Lord Propry Adjudged.

And the afs^d Roger Mathews for that he hath Above in his Rejoynder pleaded alledged Sufficient matter in Law to Barr the afs^d attorney Gen^l for the said Lord Propry from having his Action Afs^d against him the said Roger Mathews which he is ready to verifie which matter the Afs^d attorney Gen^l hath not Gainsayed nor thereunto in Anywise Answered But the same to Admitt for true hath Altogether Refused as before Prays Judgment and that the Said Attorney Gen^l from his Action Afores^d for the said Lord Propry Ag^t him the said Roger Mathews May be Barred etc: